

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Mark Acton, Vice Chairman;
Tony L. Hammond; and
Nanci E. Langley

Mail Classification Schedule

Docket No. RM2011-8

NOTICE OF PROPOSED RULEMAKING
CONCERNING MAIL CLASSIFICATION SCHEDULE
(REVISING ORDER NO. 666)

(Issued July 12, 2011)

I. INTRODUCTION

On February 7, 2011, the Commission issued Order No. 666 which established a rulemaking docket pursuant to its responsibilities under the Postal Accountability and Enhancement Act (PAEA) of 2006, Pub L. 109-435, 120 Stat. 3198, to consider modifications to the Commission's rules governing the Mail Classification Schedule (MCS).¹ Within Order No. 666, the Commission directed publication of a notice of proposed rulemaking in the *Federal Register*, and established a public comment period ending March 24, 2011.

The notice, including the text of the proposed rule, is estimated to require greater than 300 pages of *Federal Register* text and significant additional processing due to atypical formatting requirements of four appendices to the proposed rule. These

¹ Notice of Proposed Rulemaking Concerning Mail Classification Schedule, February 7, 2011 (Order No. 666).

significant administrative and cost burdens lead the Commission to consider alternative publication options.

The Administrative Procedure Act generally requires publication of a notice of proposed rulemaking in the *Federal Register*. 5 U.S.C. 553(b). To comply with this requirement, this order directs the publication of an abbreviated version of Order No. 666 in the *Federal Register*. The abbreviated version will provide a detailed “description of the subjects and issues involved” with the proposed rule as required by 5 U.S.C. 553(b)(3). It shall also provide the terms or substance of the proposed rule where there are changes to the text of the rule currently in effect. It will not provide the four appendices that are proposed to appear at the end of the rule currently in effect. The abbreviated version will also provide additional direction to interested persons on obtaining material not being published at this time, *i.e.*, the four appendices. Finally, the period for interested persons to comment will be extended until August 5, 2011.

II. DIRECTIONS FOR FEDERAL REGISTER PUBLICATION

A new paragraph VIII shall be added to Order No. 666 titled “Directions for Federal Register Publication and Access to Unpublished Material” to read as follows:

An abbreviated version of this Notice shall be published in the *Federal Register*. This version shall include the material appearing up to the signature of this Notice. This material includes among other items “a description of the subjects and issues involved” with the proposed rule as required by 5 U.S.C. 553(b)(3).

The abbreviated version shall also include pages 1 through 13 of the material titled “Mail Classification Schedule” appearing after the signature of this Notice. This material describes the textual changes proposed to existing 39 CFR part 3020, subpart A, but does not include four new appendices proposed to appear at the end of this subpart. An appropriate placeholder shall be included in the *Federal Register* to indicate the placement of these four appendices.

As previously stated in paragraph III of this Notice, all material, including the proposed four new appendices, appears on the Commission’s website. For interested persons without access to

the internet, a copy of all material is available for inspection at the Postal Regulatory Commission, 901 New York Avenue, NW, Suite 200, Washington DC 20268-0001. Reasonable alternative access also may be arranged by contacting the Commission's docket section at (202) 789-6846.

Paragraph 5 of the ordering paragraphs shall be revised to read as follows:

The Secretary shall arrange for publication of this Notice in the *Federal Register* as directed in the body of this Notice.

III. EXTENSION OF COMMENT PERIOD

Paragraph VII of Order No. 666 titled "Public Comments" shall be revised to read as follows:

Comments concerning the proposed modifications to the MCS by interested persons are due August 5, 2011. Interested persons previously filing comments in response to this Notice appearing on the Commission's website with an earlier due date may file supplemental comments, if necessary. All comments previously filed in this docket shall be considered and need not be re-filed.

Paragraph 4 of the ordering paragraphs shall be revised to read as follows:

Interested persons may submit comments by August 5, 2011.

It is ordered:

1. Order No. 666 shall be revised to direct the Secretary to arrange for publication of an abbreviated version of Order No. 666 in the *Federal Register*.
2. Order No. 666 shall be revised to extend the comment period until August 5, 2011.

By the Commission.

Ruth Ann Abrams
Acting Secretary